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BILL NO. Z-76-07- 31

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ZONING MAP ORDINANCE NO. Z-13-76

6

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. AA-14.

7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY  
OF FORT WAYNE, INDIANA:

8

SECTION 1. That the area described as follows is  
hereby designated a B-3-B District under the terms of Chapter  
36, Municipal Code of the City of Fort Wayne, Indiana, 1946,  
as amended by General Ordinance No. 2836 and amendments thereof;  
and the symbols of the City of Fort Wayne Zoning Map No. AA-14,  
referred to therein, established by Section 9, Article III of  
said Chapter as amended, are hereby changed accordingly, to-wit:

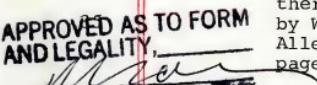
9

Part of Lot 7 in Godfrey's Partition of Out Lots  
according to the plat thereof recorded in Plat  
Book 1, page 2, partitioned by W.H. Godhorn and  
J.S. Goshorn, Commissioners of Allen Circuit Court  
as shown in Order Book No. 22, page 112, 142 of  
said court; being a subdivision of Lots 3, 4, 7,  
and 14.25 acres of land off the Northeasterly side  
of Lot 2 of the subdivision of Richardville Reserve,  
West of the St. Mary's River in Township 30 North,  
Range 12 East, made by Lewis Newberger, Commissioner,  
as recorded in Order Book "T", page 263, in Allen  
Circuit Court, more particularly described as follows:

10

Commencing at the Southeast corner of said Lot No. 7;  
thence North 76 degrees 44 minutes West along the  
centerline of the original Lower Huntington Road,  
a distance of 480.8 feet; thence North 13 degr.  
16 min. East on a line which is at right angles with  
said centerline of the original Lower Huntington Road,  
a distance of 35.5 feet for the point of beginning  
of the tract herein being described; thence continuing  
North 13 degr. 16 min. East a distance of 139.5 feet;  
thence South 76 degr. 44 min. East and parallel with  
said center line of the original Lower Huntington Road,  
a distance of 85 feet; thence South 13 degr. 16 min.  
West a distance of 138.5 feet to a point on the new  
North right-of-way line of Lower Huntington Road;  
thence Northwestwardly along said new North right-  
of-way line following a 10 degr. curve to the right,  
a distance of 29 feet to the point of tangency of said  
curve; thence North 76 degr. 44 min. West and parallel  
with said center line of the original Lower Huntington  
Road, a distance of 56 feet to the point of beginning,  
in Allen County, Indiana, containing 0.27 of an acres  
of land, more or less, together with part of Lot 7 in  
Godfrey's Partition of Out Lots according to the plat  
thereof recorded in Plat book 1, page 2, partitioned  
by W. H. Goshorn and J. S. Goshorn, Commissioners of  
Allen Circuit Court as shown in Order Book No. 22,  
page 112, 142 of said court; being a subdivision of

APPROVED AS TO FORM  
AND LEGALITY,

  
MICHAEL J. GOSHORN  
ATTORNEY

1  
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4 Lots 3, 4, 7, and 14.25 acres of land off the  
5 Northeasterly side of Lot 2 of the subdivision  
6 of Richardville Reserve, West of the St. Marys River  
7 in Township 30 North, Range 12 East, made by Lewis  
8 Newberger, Commissioner, as recorded in Order Book  
9 "T", page 263, in Allen Circuit Court, more particu-  
10 larly described as follows: Commencing at the  
11 Southeast corner of said Lot No. 7; thence North 76  
12 degr. 44 min. West along the center line of the  
13 original Lower Huntington Road, a distance of 395.8 feet;  
14 thence North 13 degr. 16 min. East on a line which is  
15 at right angles with said center line of the original  
Lower Huntington Road, a distance of 36.5 feet for the  
point of beginning of the tract herein described; thence  
continuing North 13 degr. 16 min. East a distance of  
138.5 feet; thence South 76 degr. 44 min. East and  
parallel with said center line of the original Lower  
Huntington Road, a distance of 85 feet; thence South  
13 degr. 16 min. West a distance of 127.5 feet to a  
point on the new North right-of-way line of the Lower  
Huntington Road; thence Northwestwardly along said new  
North right-of-way line following a 10 degr. curve to  
the right, a distance of 86 feet to the point of  
beginning, containing 0.26 of an acres of land, more  
or less.

16  
17 SECTION 2. This Ordinance shall be in full force and  
18 effect from and after its passage, approval by the Mayor and  
19 legal publication thereof.

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22 Councilman  
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Read the first time in full and on motion by Jalarico, seconded by Knobels, and duly adopted, read the second time by title and referred to the Committee on Greg Albrecht (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 7-27-76

Charles M. Stierman  
CITY CLERK

Read the third time in full and on motion by Knobels, seconded by Hinga, and duly adopted, placed on its passage.

PASSED ~~(TEST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>			
<u>BURNS</u>	<u>✓</u>				
<u>HINGA</u>	<u>✓</u>				
<u>HUNTER</u>	<u>✓</u>				
<u>MOSES</u>	<u>✓</u>				
<u>NUCKOLS</u>	<u>✓</u>				
<u>SCHMIDT, D.</u>	<u>✓</u>				
<u>SCHIMDT, V.</u>	<u>✓</u>				
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE: 9-14-76

Charles M. Stierman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 3-13-76 on the 14th day of Sept, 1976.  
ATTEST: James Stier (SEAL)

Charles M. Stierman  
CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of September, 1976, at the hour of 11:30 o'clock A. M., E.S.T.

Charles M. Stierman  
CITY CLERK

Approved and signed by me this 15th day of September, 1976,  
at the hour of 11:30 o'clock a. M., E.S.T.

Robert L. Armstrong  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 27, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-07-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

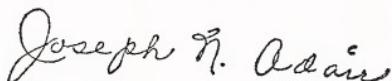
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 16, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 23, 1976.

Certified and signed this  
24th day of August, 1976.



Joseph N. Adair  
Secretary

Bill No. Z-76-07-31

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
Amending the City of Fort Wayne Zoning Map No. AA-14

1

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance *cf.* PASS.

John Nickols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield G. Moses, Jr.

Donald J. Schmidt

Vivian G. Schmidt

Louis Moses Jr.

① Silmaril

DATE 9-14-76 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

**RECEIPT**

Date

July 13 1976

No.

6823.

Received From

James Johnson

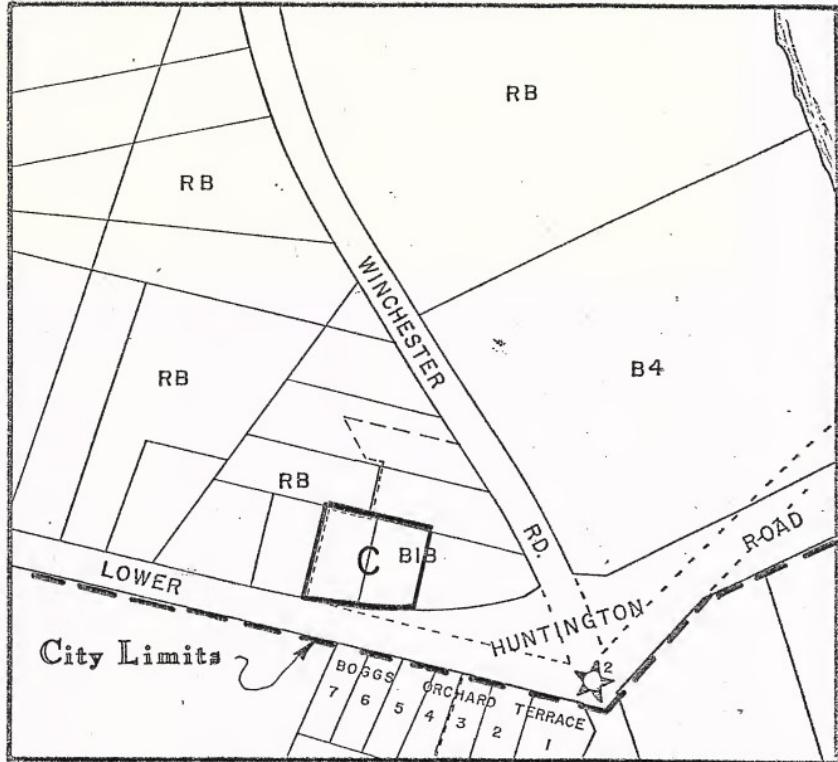
Address

Fifty dollars 50<sup>00</sup> Dollars

For

rezoning - Lower Huntington

ACCOUNT	HOW PAID
AMT. OF ACCOUNT	CASH <u>50</u> -
AMT. PAID	CHECK <u>50</u> -
BALANCE DUE	MONEY ORDER <u>00</u> BY City Plan



"C" CHANGE FROM BIB TO A B3B

MAP AA-14  
DATE DRAWN 7-14-76  
DRAWN BY R.K.

3 - 76-07-31



## PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. \_\_\_\_\_

TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

Date Filed \_\_\_\_\_

Intended Use \_\_\_\_\_

X/We MICHAEL J. WALKER and CHERYL J. WALKER, husband and wife  
(Applicant's Name or Names)do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana,  
do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana,  
by reclassifying from a/~~xx~~ B-1-B- district to a/~~xx~~ B-3-B- district the  
property described as follows:0.523 acres of land in part of Lot No. 7 in Godfrey's Partition ofOut Lots more particularly described in attached survey and legaldescription as prepared by John R. Donovan, Registered ProfessionalCivil Engineer, survey dated 12-17-75, said survey being attachedhereto, made a part hereof, and marked "Exhibit A". (Also known as528 Lower Huntington Rd., Fort Wayne, Indiana)(Michael J. Walker and Cheryl J. Walker have signed an Agreement to  
Purchase Real Estate, which Agreement is subject to this property being  
rezoned B-3-B; Theodore V. Farlow and Mildred Farlow are the fee simple  
(Legal Description)

owners of this real estate.)

(General Description for Planning Staff Use Only)

X/We, the undersigned, certify that ~~X xx~~/We are the owner(s) of fifty-one percentum  
(51%) or more of the property described in this petition.Michael J. Walker

901 Lincoln Ave.

Cheryl J. Walker

Fort Wayne, Indiana

Theodore V. Farlow

901 Lincoln Ave.

Mildred Farlow

Fort Wayne, Indiana

(Name)

522 Lwr. Huntington Rd.

Fort Wayne, Indiana

522 Lwr. Huntington Rd.

Fort Wayne, Indiana

(Address)

Michael J. Walker  
Cheryl J. Walker  
Theodore V. Farlow  
Mildred Farlow

(Signature)

Legal Description Checked By:

(City Engineer)

## NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:  
Parrish, Eggers, Larson & BurtJames L. Larson  
(Name)

By: James L. Larson

13th Floor, Lincoln Bank

(Address)

743-4762

(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE,  
INDIANA, 46802 Telephone Number: 423-7571

OFFICE OF:

JOHN R. DONOVAN

REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA

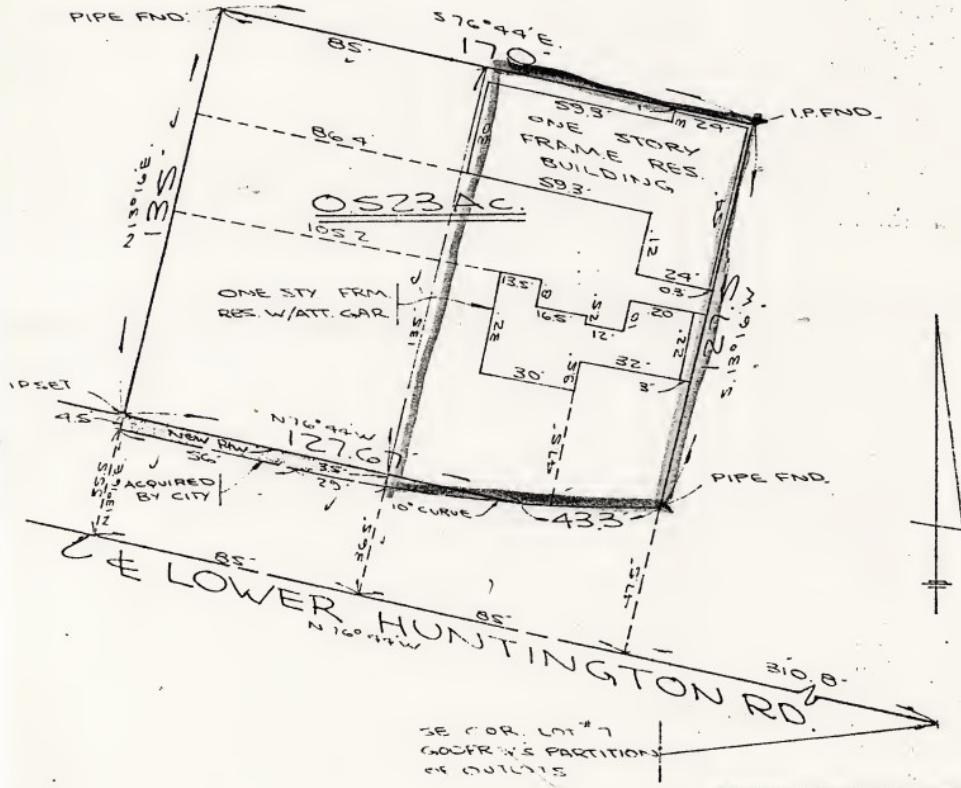
REGISTERED LAND SURVEYOR No. 9921 INDIANA

FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: SEE ATTACHED SHEET!



"EXHIBIT A"



OFFICE OF:

JOHN R. DONOVAN

REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA

REGISTERED LAND SURVEYOR No. 9921 INDIANA

FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Part of Lot 7 in Godfrey's Partition of Out Lots according to the plat thereof recorded in Plat Book 1, page 2, partitioned by W.H. Godhorn and J.S. Goshorn, Commissioners of Allen Circuit Court as shown in Order Book No. 22, page 112, 142 of said court; being a subdivision of Lots 3, 4, 7, and 14.25 acres of land off the Northeasterly side of Lot 2 of the subdivision of Richardville Reserve, West of the St. Mary's River in Township 30 North, Range 12 East, made by Lewis Newberger, Commissioner, as recorded in Order Book "T", page 263, in Allen Circuit Court, more particularly described as follows:

Commencing at the Southeast corner of said Lot No. 7; thence North 76 degr. 44 min. West along the centerline of the original Lower Huntington Road, a distance of 480.8 feet; thence North 13 degr. 16 min. East on a line which is at right angles with said centerline of the original Lower Huntington Road, a distance of 35.5 feet for the point of beginning of the tract herein being described; thence continuing North 13 degr. 16 min. East a distance of 139.5 feet; thence South 76 degr. 44 min. East and parallel with said center line of the original Lower Huntington Road, a distance of 85 feet; thence South 13 degr. 16 min. West a distance of 138.5 feet to a point on the new North right-of-way line of Lower Huntington Road; thence Northwestwardly along said new North right-of-way line following a 10 degr. curve to the right, a distance of 29 feet to the point of tangency of said curve; thence North 76 degr. 44 min. West and parallel with said center line of the original Lower Huntington Road, a distance of 56 feet to the point of beginning, in Allen County, Indiana, containing 0.27 of an acre of land, more or less, together with part of Lot 7 in Godfrey's Partition of Out Lots according to the plat thereof recorded in Plat Book 1, page 2, partitioned by W.H. Goshorn and J.S. Goshorn, Commissioners of Allen Circuit Court as shown in Order Book No. 22, page 112, 142 of said court; being a subdivision of Lots 3, 4, 7, and 14.25 acres of land off the Northeasterly side of Lot 2 of the subdivision of Richardville Reserve, West of the St. Mary's River in Township 30 North, Range 12 East, made by Lewis Newberger, Commissioner, as recorded in Order Book "T", page 263, in Allen Circuit Court, more particularly described as follows: Commencing at the Southeast corner of said Lot No. 7; thence North 76 degr. 44 min. West along the center line of the original Lower Huntington Road, a distance of 395.8 feet; thence North 13 degr. 16 min. East on a line which is at right angles with said center line of the original Lower Huntington Road, a distance of 36.5 feet for the point of beginning of the tract herein described; thence continuing North 13 degr. 16 min. East a distance of 138.5 feet; thence South 76 degr. 44 min. East and parallel with said center line of the original Lower Huntington Road, a distance of 85 feet; thence South 13 degr. 16 min. West a distance of 127.5 feet to a point on the new North right-of-way line of the Lower Huntington Road; thence Northwestwardly along said new North right-of-way line following a 10 degr. curve to the right, a distance of 86 feet to the point of beginning, containing 0.26 of an acre of land, more or less.

"EXHIBIT A"

J. R. DONOVAN



THE CITY OF FORT WAYNE  
COMMUNITY DEVELOPMENT & PLANNING  
division of long range planning and zoning

August 24, 1976

*Hold*

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 23, 1976. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-76-07-31
2. From "B1B" to "B3B"
3. Intended Use: Motorcycle repair shop
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The existing character of the immediate area is already commercial. The Dennie Ditch appears to create a natural boundary between commercial and residential uses along the Lower Huntington Road west of the Winchester Road.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*Gary F. Baeten (pr)*

Gary F. Baeten  
Land Use Administrator

GFB:Pr  
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 27, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-07-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

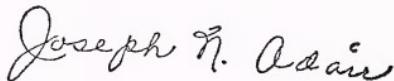
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 16, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

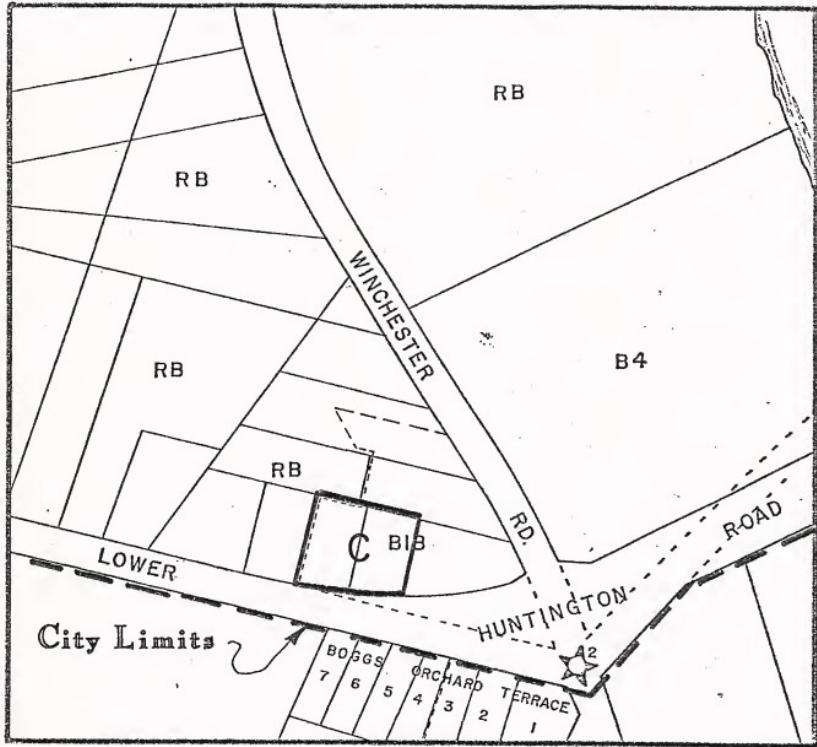
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 23, 1976.

Certified and signed this  
24th day of August, 1976.



Joseph N. Adair  
Secretary



"C" CHANGE FROM BIB TO A B3B

MAP AA-14  
DATE DRAWN 7-14-76  
DRAWN BY R.K.

2 - 7607-31



Number assigned by Bill Salin's office: Admn. Appr. \_\_\_\_\_  
DIGEST SHEET # 3278

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-76-07-31

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of  
the following described property:

A parcel of ground, containing 1/2 acres, more or less, generally  
located on the north side of Lower Huntington Road, and commonly  
known as 528 Lower Huntington Road.

From "B1B" to "B3B"

EFFECT OF PASSAGE Property is presently zoned a "B1B" District -  
Limited Business. Petitioners are requesting a "B3B" District -

General Business.

EFFECT OF NON-PASSAGE Property would remain a "B1B" District.

none

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J.N.) Regulation JH



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

September 15, 1976

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of September 20 and September 27, 1976, in both the News Sentinel and Jurnal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Bill No. Z-76-07-31  
Zoning Map Ordinance No. Z-13-76

Bill No. Z-76-05-16  
(AS AMENDED)  
Zoning Map Ordinance No. Z-12-76

Please send us (5) five copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman  
City Clerk

CWN/ne  
ENCL: 2



Notice is hereby given that on the 14th day of September, 1976, the Common Council of the City of Fort Wayne, Indiana, did enact Resolution No. 2, did pass the following BILL NO. Z-76-07-31 Z-1376 Zoning Map Ordinance, to-wit:

BILL NO. Z-76-07-31

ZONING MAP ORDINANCE NO. Z-76-07-31 AMENDING THE ZONING ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, as amended by Ordinance No. 2, 1964, as amended by Ordinance No. 2803 and amendments thereto, and shall be known as the City of Fort Wayne Zoning Map No. AA-14, referred to herein, established by Section 14 of the Zoning Law, as amended, are hereby changed accordingly, to-wit:

Part of Lot 1 in Godfrey's Partition of Out Lots according to the plat thereof recorded in Plat Book 1, page 29, in the Office of W.H. Goshorn, J.S. Goshorn, Commissioners of Allen Circuit Court as shown in Order Book No. 22, page 19, lot 10, said court being a subdivision of Lot 1, 47, and 14.25 acres of land of the Northeastern corner of the same, the extension of Richardsonville Reserve, West of the St. Mary's River in Township 30 North, Range 12 East, in the Office of Lewis Newberger, Commissioner, as recorded in Order Book "T", page 363, in Allen Circuit Court, Indiana, which is particularly described as follows: Commencing at the Southeast corner of the said Lot No. 1, thence North 70 degrees 44 min. 44 minutes West along the center line of the original Lower Huntington Road, a distance of 48 feet; thence North 13 degrees 16 min. East on a line which is at right angles with said center line of the original Lower Huntington Road, a distance of 34.5 feet for the point of beginning of the tract herein described; thence continuing North 13 degrees 16 min. East a distance of 139.5 feet; thence continuing North 70 degrees 44 min. East and parallel with said center line of the original Lower Huntington Road, a distance of 56 feet; thence South 13 degrees 16 min. West a distance of 139.5 feet to the new North right-of-way line of the original Lower Huntington Road, thence North 70 degrees 44 min. East, said North right-of-way line following a 10 degree curve to the right, a distance of 139.5 feet to the point of beginning of the tract herein described; thence continuing North 70 degrees 44 min. West and parallel with said center line of the original Lower Huntington Road, a distance of 56 feet to the point of beginning, in Allen County, Indiana, of 14.25 acres of land, more or less, together with all rights in Godfrey's Partition of Out Lots according to the plat thereof recorded in Plat Book 1, page 29, in the Office of W.H. Goshorn, J.S. Goshorn, Commissioners of Allen Circuit Court as shown in Order Book No. 22, page 19, of said court, being a subdivision of Lot 1, 47, and 14.25 acres of land off the Northeastern corner of the same, the extension of Richardsonville Reserve, West of the St. Mary's River in Township 30 North, Range 12 East, in the Office of Lewis Newberger, Commissioner, as recorded in Order Book "T", page 363, in Allen Circuit Court, Indiana, which is particularly described as follows: Commencing at the Southeast corner of the said Lot No. 7, thence North 70 degrees 44 min. East along the center line of the original Lower Huntington Road, a distance of 48 feet; thence North 13 degrees 16 min. East on a line which is at right angles with said center line of the original Lower Huntington Road, a distance of 34.5 feet for the point of beginning of the tract herein described; thence continuing North 13 degrees 16 min. East a distance of 139.5 feet; thence continuing North 70 degrees 44 min. East and parallel with said center line of the original Lower Huntington Road, a distance of 56 feet; thence South 13 degrees 16 min. West a distance of 139.5 feet to the new North right-of-way line of the original Lower Huntington Road, thence Northwardly along said new North right-of-way line following a 10 degree curve to the right, a distance of 86 feet to the point of beginning, containing 14.25 of an acres of land, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Given under my hand and seal this 14th day of September, 1976.

ATTEST: (SEAL)

Charles W. Westerman  
City Clerk

Read the third time in full and on motion by Nuckles, seconded Hings, and duly adopted, placed on its passage, approved by the Mayor and legal publication thereof.

Signed: Nine, Burns, Hings, Hunter,

Moses, Nuckles, D. Schmidt, V.

Schmidt, Miller, Talarico

Dates: None

Date: 9-14-76

Charles W. Westerman  
City Clerk

Presented and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-76-07-31 on the 14th day of September, 1976.

ATTEST: (SEAL)

Charles W. Westerman  
James S. Stier  
City Clerk  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of September, 1976, at the hour of 10:30 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN  
Clerk of the Common Council

Approved and signed by me this 15th day of September, 1976, at the hour of 11:30 o'clock A.M., E.S.T.

Robert E. Armstrong  
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true copy of the original copy of Zoning Map Ordinance No. Z-76-07-31 passed by the Common Council on the 14th day of September, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 15th day of September, 1976, now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of September, 1976.

CHARLES W. WESTERMAN  
CITY CLERK

9-20-76

by State Board of Accounts

of Fort Wayne

overnmental Unit)

County, Ind.

To THE NEWS-SENTINEL

Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

number of lines

172

number of lines

2

Total number of lines in notice

174

CHARGES

lines, 1 columns wide equals 174 equivalent lines at .25¢ per line

\$ 45.07

onal charge for notices containing rule or tabular work (50 per cent of above)

1.50

for extra proofs of publication (50 cents for each proof in excess of two)

46.57

TOTAL AMOUNT OF CLAIM

UTING COST

of single column items

Size of type 5<sup>1</sup>/<sub>2</sub> point

er of insertions 2

Size of quad upon which type is cast 5<sup>1</sup>/<sub>2</sub>

revision and penalties of Ch. 89, Acts 1967.

at the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

J.E. Gerken

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the

DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, 5, the dates of publication being as follows:

9/20-27/76

J.E. Gerken

Subscribed and sworn to before me this 27th day of September in 76

Notary Public

My commission expires September 28, 1979

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IMENT HERE

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RECORDED

INDEXED

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FILED

APR 19 1976

CHARLES W. WESTERMAN

CITY CLERK

Common Council of Fort Wayne  
**(Governmental Unit)**

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

**FORT WAYNE, INDIANA**

## **PUBLISHER'S CLAIM**

### **LINE COUNT**

**Display Matter** (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

<b>Head</b>	<b>number of lines</b>	<hr/>
<b>Body</b>	<b>number of lines</b>	<hr/> <u>172</u>
<b>Tail</b>	<b>number of lines</b>	<hr/> 2
<b>Total number of lines in notice</b>		<hr/> <u>174</u>

## COMPUTATION OF CHARGES

174 lines, 1 columns wide equals 174 equivalent lines at .2594 cents per line : 45.07

**Additional charge for notices containing rule or tabular work (50 per cent of above amount)**

Charge for extra proofs of publication (50 cents for each proof in excess of two)

**TOTAL AMOUNT OF CLAIM**

#### **DATA FOR COMPUTING COST**

Width of single column 9 1/2 inches Size of type 5 1/2 point  
Number of insertions 2 Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

T. E. Sekken

Date September 27, 1976

**Title** CLERK

**PUBLISHER'S AFFIDAVIT**

State of Indiana } ss:  
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the  
undersigned V.E. GERKEN who, being duly sworn, says  
that she is CLERK MELISSA SCHUMMEN of the

a DAILY newspaper of general circulation printed and published  
in the English language in the city of FORT WAYNE, INDIANA,  
in state and county aforesaid, and that the printed matter attached hereto is a true copy,  
which was duly published in said paper for 2 time<sup>s</sup>, the dates of publication being

9/20-27/76

Subscribed and sworn to before me this 27th day of September A.D. 176

Notary Public

Notary P.

Notice is hereby given that on the 14th day of September, 1976, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following BILL NO. Z-76-07-1 Z-13-76 Zoning Map Ordinance, etc.:

BILL NO. Z-76-07-1

ZONING MAP ORDINANCE NO. Z-76-07-1 AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3B District under the provisions of the Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 13-76, and the ordinances thereof; and the symbols of the City of Fort Wayne Zoning Map No. AA-14, shall apply thereto.

Section 9, Article III of said Chapter as amended, are hereby changed accordingly:

Part of Lot 7 in Godfrey's Partition of Owl Lots according to the plat thereof recorded in Plan Book page 32, partitioned by W.H. Godfrey and J.S. Goshorn, Commissioners of Allen Circuit Court as shown in Order Book No. 29, page 112, 142 feet long, 44 min. and 12.5 acres of land off the Northeast side of lot 2 of the original Lower Huntington Reserve, West of the St. Mary's River in Township 30 North, Range 12 East, made by Lewis Newberger, Commissioner, as recorded in Order Book "T", page 263, in Allen Circuit Court, more particularly described as follows: Commencing at the Southeast corner of said lot 7; thence North 76 degrees 44 min. and 12.5 acres to a point 36 degrees 44 minutes West along the center line of the original Lower Huntington Road, a distance of 85 feet; thence North 76 degrees 44 min. and a distance of 138.5 feet to a point on the new North right-of-way line of Lower Huntington Road, thence Northwestwardly along said distance of 35.5 feet from the point of beginning of the tract herein being described; thence continuing North 76 degrees 44 min. and 12.5 acres to a point 36 degrees 44 minutes West along the center line of the original Lower Huntington Road, a distance of 56 feet to the point of beginning in Allen County, Indiana, containing 1.27 acre of land, more or less, together with part of Lot 7 in Godfrey's Partition of Owl Lots according to the plat thereof recorded in Plan Book 1, page 2, partitioned by W.H. Godfrey and J.S. Goshorn, Commissioners of Allen Circuit Court as shown in Order Book No. 29, page 112, 142 feet long; bearing a distance of 139.5 feet; thence South 76 degrees 44 min. and 12.5 acres to a point on the center line of the original Lower Huntington Road, a distance of 85 feet; thence South 76 degrees 44 min. and a distance of 138.5 feet to a point on the new North right-of-way line of Lower Huntington Road, thence Northwestwardly along said new North right-of-way line following a 10 degree curve to the right; thence 36 degrees 44 minutes West to the point of origin of said curve; thence North 76 degrees 44 min. and 12.5 acres to a point on the center line of the original Lower Huntington Road, a distance of 56 feet to the point of beginning in Allen County, Indiana, containing 1.27 acre of land, more or less, together with part of Lot 7 in Godfrey's Partition of Owl Lots according to the plat thereof recorded in Plan Book 1, page 2, partitioned by W.H. Godfrey and J.S. Goshorn, Commissioners of Allen Circuit Court as shown in Order Book No. 29, page 112, 142 feet long; bearing a distance of 139.5 feet; thence South 76 degrees 44 min. and 12.5 acres to a point on the center line of the original Lower Huntington Road, a distance of 85 feet; thence South 76 degrees 44 min. and a distance of 138.5 feet to a point on the new North right-of-way line of Lower Huntington Road, thence Northwestwardly along said new North right-of-way line following a 10 degree curve to the right; thence 36 degrees 44 minutes West to the point of origin of said curve; thence North 76 degrees 44 min. and 12.5 acres to a point on the center line of the original Lower Huntington Road, a distance of 56 feet to the point of beginning in Allen County, Indiana, containing 1.27 acre of land, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication in the *JOURNAL-GAZETTE*.

Given under my hand this 13th day of September, 1976,

Attest: *John H. Nichols*  
Councilman

Read the third time in full and on motion by Nichols, seconded Hinpa, and duly adopted, placed on its passage, P.A.D., by the following vote:

Allen: Nine, Curran: Six, Hunter: Moses, Nuckles: Three, Schmidt: V.

Schmidt: Stier: Talarico: D.

Nunes: None

Date: 9-14-76

Charles W. Westerman  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-13-76 on the 14th day of September, 1976.

ATTEST: *(SEAL)*

Charles W. Westerman  
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of September, 1976, at the hour of 10:30 o'clock A.M., E.S.T.  
Charles W. Westerman  
City Clerk

Approved and signed by me this 15th day of September, 1976, at the hour of 11:30 o'clock A.M., E.S.T.  
Robert E. Armstrong  
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full true copy of a copy of Zoning Map Ordinance No. Z-13-76 passed by the Common Council on the 14th day of September, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 15th day of September, 1976, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of September, 1976.  
CHARLES W. WESTERMAN  
CITY CLERK

For State Board of Accounts

1 of Fort Wayne  
Municipal Unit

County, Ind.

General Form No. 99 P (Rev. 1967)

To: JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

### PUBLISHER'S CLAIM

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or extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 161.57

### TING COST

9.9  
single column items

Size of type 5½ point

of insertions 2

Size of quad upon which type is cast 5½

### ision and penalties of Ch. 89, Acts 1967.

The foregoing account is just and correct, that the amount claimed is legally due, after allowing all just art of the same has been paid.

*Arvilla De Told*

Title: CLERK

### PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the *JOURNAL-GAZETTE*

a. DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

9/20-27/76

*Arvilla De Told*

Subscribed and sworn to before me this 27th day of September 1976  
*Harry V. W.*

Notary Public

My commission expires September 28, 1979

